Amendments to the Claims

Please amend the following claims as indicated:

1. (Previously presented) An apparatus for positively identifying an item, the apparatus comprising:

a processor configured to execute executable data structures; and

a memory device connected to the processor for storing the executable data structures, the executable and operational data structures comprising:

a reader module configured to read a coded identifier associated with the

item;

a capture module configured to capture a visual characteristic of the item,

independent of the coded identifier;

an association module configured to identify the item in a database based on the

coded identifier; and

a verification module configured to verify the identity of

the item based on the visual characteristic; and

a presentation module configured to provide audio information about the item.

2. (Cancelled)

3. (Previously presented) The apparatus of claim 1, the executable and operational data structures further comprising a confirmation module configured to confirm with a user the identity of the item based on the coded identifier.

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4.   (Previously presented) The apparatus of claim 1, the presentation module further configured to present to a user a plurality of candidate items associated with the visual characteristic and enable the user to identify from the plurality of candidate items the item.

5.   (Previously presented) The apparatus of claim 1, the executable and operational data structures further comprising a notification module configured to notify a user whether the coded identifier is associated with the item.

6.   (Cancelled)

7.   (Previously presented) The apparatus of claim 1, the executable and operational data structures further comprising a weight module configured to identify the item based on its weight.

8.   (Previously presented) The apparatus of claim 1, wherein the visual characteristic is selected from the group consisting of color, size, shape, and texture.

9.   (Currently amended) A user interface for positively identifying an item, the user interface comprising:

> an input module configured to read a coded identifier associated with the item and to capture a visual characteristic associated with the item, the visual characteristic captured independent ~~from the reading~~ of the coded identifier;
>
> a controller in communication with the input module, the controller configured to receive the coded identifier and the visual characteristic from the input module, identify the item in a database based on the coded identifier, and verify the identity of the item based on the visual characteristic; and

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a confirmation module in communication with the controller, the confirmation module

configured to confirm that the identity of the item and comprising a presentation

module configured to provide audio information about the item.

10. (Previously presented) The user interface of claim 9, the presentation module further configured

to present to a user a plurality of candidate items associated with the visual characteristic and enable

the user to identify from the plurality of candidate items the item.

11. (Previously presented) The user interface of claim 9, further comprising a notification module

configured to notify a user whether the item is associated with the coded identifier.

12. (Previously presented) The user interface of claim 9, wherein the input module identifies the

item based on its weight.

13. (Currently amended) A system for positively identifying an item, the system comprising:

a checkout station, comprising:

a processor configured to execute executable data structures; and

a memory device connected to the processor for storing the executable

data structures, the executable and operational data structures comprising:

a reader module configured to read a coded identifier of the

item; and

a capture module configured to capture a visual

characteristic of the item, the visual characteristic captured

independent ~~from the reading~~ of the coded identifier; and

a presentation module configured to provide audio information about the item; and

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a server in communication with the checkout station, the server comprising:

> an association module configured to identify the item in a database based on the coded identifier; and

> a verification module configured to verify the identity of the item based on the visual characteristic.

14. (Original) The system of claim 13, wherein the server is remote in relation to the checkout station.

15. (Original) The system of claim 13, wherein the server communicates with a plurality of checkout stations.

16. (Currently amended) A method for positively identifying an item, the method comprising:

> reading a coded identifier associated with the item;

> capturing a visual characteristic of the item, the visual characteristic captured independent ~~from the reading~~ of the coded identifier;

> identifying the item in a database based on the coded identifier;

> providing audio information about the item; and

> verifying the identity of the item based on the visual characteristic.

17. (Previously presented) The method of claim 16, further comprising confirming with a user the identity of the item.

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18. (Previously presented) The method of claim 16, further comprising presenting to a user a plurality of candidate items associated with the visual characteristic and enabling the user to identify from the plurality of candidate items the item.

19. (Previously presented) The method of claim 16, further comprising notifying a user whether the coded identifier is associated with the item.

20. (Cancelled)

21. (Original) The method of claim 16, further comprising generating a visual signature from the visual characteristic.

22. (Original) The method of claim 16, further comprising identifying and associating the weight of the item with the weight of the candidate item.

23. (Previously presented) The method of claim 16, wherein the visual characteristic is selected from the group consisting of color, size, shape, and texture.

24. (Currently amended) An apparatus for positively identifying an item, the apparatus comprising:
    means for reading a coded identifier associated with the item;
    means for capturing a visual characteristic of the item, the visual characteristic captured independent from the reading of the coded identifier;
    means for identifying the item in a database based on the coded identifier;
    means for providing audio information about the item; and
    means for verifying the identity of the item based on the visual characteristic.

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25. (Previously presented) The apparatus of claim 24, further comprising means for confirming with a user the identity of the item.

26. (Previously presented) The apparatus of claim 24, further comprising means for notifying a user whether the coded identifier is associated with the item.

27. (Currently amended) An article of manufacture comprising a program storage medium readable by a processor and embodying one or more instructions executable by a processor to perform a method for positively identifying an item, the method comprising:

reading a coded identifier associated with an item;

capturing a visual characteristic of the item, the visual characteristic captured independent ~~from the reading~~ of the coded identifier;

identifying the item in a database based on the coded identifier;

providing audio information about the item; and

verifying the identity of the item based on the visual characteristic.

28. (Previously presented) The article of manufacture of claim 27, wherein the method further comprises confirming with a user the identity of the item.

29. (Previously presented) The article of manufacture of claim 27, wherein the method further comprises presenting to a user a plurality of candidate items associated with the visual characteristic and enabling the user to identify from the plurality of candidate items the item.

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30. (Previously presented) The article of manufacture of claim 27, wherein the method further comprises notifying a user whether the coded identifier is associated with the item.

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